

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Brieden et al.

Serial No. : TBA/ Divisional Application of Serial No. 09/214,679 Examiner: TBA

Filed : February 28, 2002 Group Art Unit: TBA

For : METHOD OF PREPARING (S)- OR (R)-3, 3, 3-TRIFLUORO-2-HYDROXY-2-METHYLPROPRIONIC ACID

PRELIMINARY AMENDMENT

EXPRESS MAIL LABEL NO.: EU206385769US

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

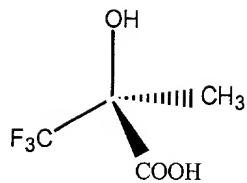
Applicants respectfully request entry of the following amendments into the file history of the above identified application.

IN THE CLAIMS:

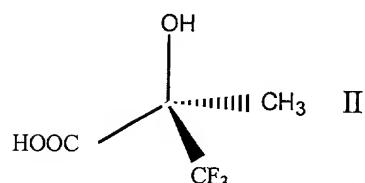
Please cancel claims 1-3 and 15-23, without prejudice.

Please add the following new claims:

--24. (New) A process for the preparation of (S) - or (R) -3, 3-trifluoro-2-hydroxy-2-methylpropionic acid of the formula:

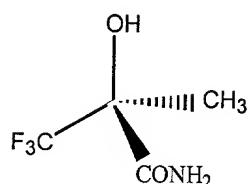


I

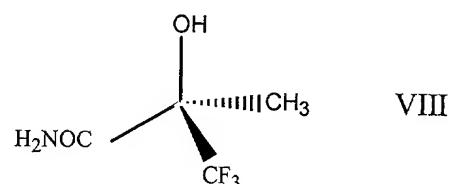


II

and/or of (R) - or (S) -3, 3, 3-trifluoro-2-hydroxy-2-methylpropionamide of the formula

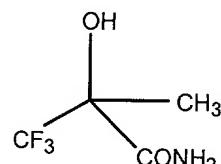


VII



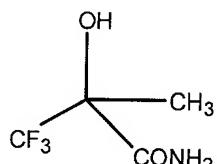
VIII

comprising the conversion of propionamide of the formula



VI

into the compounds of the formulae I, II, VII or VIII using a polypeptide having amidohydrolase activity capable of hydrolysing (R)-3, 3, 3-tri fluro-2-hydroxy-2-methylpropionamide of the formula



VI

25. (New) The process of claim 22 utilizing the polypeptide of claim 5.-

REMARKS

Claims 4-14 and 24-25 are pending. Entry of the foregoing amendments into the file history of the above-identified application is respectfully requested. Applicants believe that the pending claims are in condition for allowance. Appendix I is submitted herewith, indicating the amendments to the claims.

Respectfully submitted,

Carmella L. Stephens
Henry Tang
Patent Office Reg. No. 29,705
Attorney for Applicants

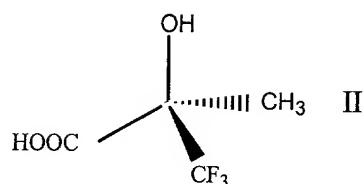
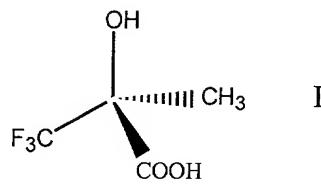
Carmella L. Stephens
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Agent for Applicants
(212) 408-2539

IN THE CLAIMS:

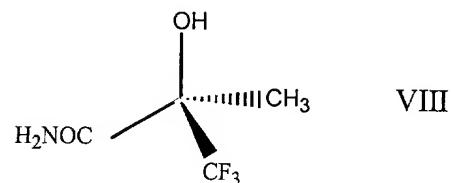
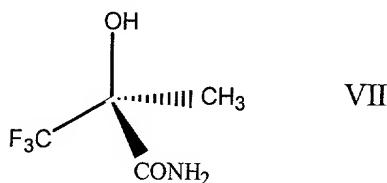
Please cancel claims 1-3 and 15-23, without prejudice.

Please add the following new claims:

--24. (New) A process for the preparation of (S) - or (R) -3, 3, 3-trifluoro-2-hydroxy-2-methylpropionic acid of the formula:



and/or of (R) - or (S) -3, 3, 3-trifluoro-2-hydroxy-2-methylpropionamide of the formula



comprising the conversion of propionamide of the formula



into the compounds of the formulae I, II, VII or VIII using a polypeptide having amidohydrolase activity capable of hydrolysing (R)-3, 3, 3-tri fluro-2-hydroxy-2-methylpropionamide of the formula



25. (New) The process of claim 22 utilizing the polypeptide of claim 5.--